



**WEST VIRGINIA
SECRETARY OF STATE**

NATALIE E. TENNANT

ADMINISTRATIVE LAW DIVISION

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8/11/2015 9:43:11 AM

OFFICE OF
WEST VIRGINIA SECRETARY OF STATE

**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 1)**

AGENCY **Higher Education Policy Commission**
RULE TYPE **Procedural** AMENDMENT TO EXISTING RULE **Yes** TITLE-SERIES **133-**
RULE NAME **Transferability of Credits and Grades at the Undergraduate Level** **17**

CITE AUTHORITY **18B-1-6**

COMMENTS LIMITED TO
Written

DATE OF PUBLIC HEARING

LOCATION OF PUBLIC HEARING

DATE WRITTEN COMMENT PERIOD ENDS
Friday, September 11, 2015 5:00 PM

WRITTEN COMMENTS MAY BE MAILED TO
**Dr. Paul L. Hill, Chancellor
WV Higher Education Policy Commission
1018 Kanawha Boulevard, East
Suite 700
Charleston, WV 25301**

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes
Cindy L Anderson -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 133-17



Rule Id: 9956



Document: 27062



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**FORM 1 -- NOTICE OF A PUBLIC HEARING OR COMMENT PERIOD ON A PROPOSED RULE
(Page 2)**

AGENCY	Higher Education Policy Commission		
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RULE NAME	Transferability of Credits and Grades at the Undergraduate Level		TITLE-SERIES 133-17

CITE AUTHORITY 18B-1-6

PROVIDE A BRIEF SUMMARY OF YOUR PROPOSAL

Rule to be amended in accordance with provisions of House Bill 2867 to expand transferability among all higher education institutions in West Virginia.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

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FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 1)

AGENCY	Higher Education Policy Commission		
RULE TYPE	Procedural	AMENDMENT TO EXISTING RULE	Yes TITLE-SERIES 133-
RULE NAME	Transferability of Credits and Grades at the Undergraduate Level		17

CITE AUTHORITY 18B-1-6

PRIMARY CONTACT

Cindy Anderson
1018 Kanawha Boulevard East

Charleston, STATE ZIP

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AGENCY	Higher Education Policy Commission		
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CITE AUTHORITY 18B-1-6

SUMMARIZE IN A CLEAR AND CONCISE MANNER WHAT IMPACT THIS MEASURE WILL HAVE ON COSTS AND REVENUES OF STATE GOVERNMENT.

N/A

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FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 2)

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RULE TYPE **Procedural** **AMENDMENT TO EXISTING RULE** **Yes** TITLE-SERIES **133-**
RULE NAME **Transferability of Credits and Grades at the Undergraduate Level** **17**

CITE AUTHORITY **18B-1-6**

FISCAL NOTE DETAIL -- SHOW OVER-ALL EFFECT IN ITEM 1 AND 2 AND, IN ITEM 3, GIVE AN EXPLANATION OF BREAKDOWN BY FISCAL YEAR, INCLUDING LONG-RANGE EFFECT.

Effect Of Proposal	Current Increase/Decrease (use ' - ')	Next Increase/Decrease (use ' - ')	Fiscal Year (Upon Full Implementation)
--------------------	--	---------------------------------------	---

**ESTIMATED
TOTAL COST**

PERSONAL SERVICES

CURRENT EXPENSES

**REPAIRS AND
ALTERATIONS**

ASSETS

OTHER

**ESTIMATED
TOTAL REVENUES**

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FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 3)

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CITE AUTHORITY 18B-1-6

3. EXPLANATION OF ABOVE ESTIMATES (INCLUDING LONG-RANGE EFFECT). PLEASE INCLUDE ANY INCREASE OR DECREASE IN FEES IN YOUR ESTIMATED TOTAL REVENUES.

N/A

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FORM 11 -- FISCAL NOTE FOR PROPOSED RULES (Page 4)

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CITE AUTHORITY **18B-1-6**

PLEASE IDENTIFY ANY AREAS OF VAGUENESS, TECHNICAL DEFECTS, REASONS THE PROPOSED RULE WOULD NOT HAVE A FISCAL IMPACT, AND OR ANY SPECIAL ISSUES NOT CAPTURED ELSEWHERE ON THIS FORM.

N/A

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

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FORM 12 -- BRIEF SUMMARY AND STATEMENT OF CIRCUMSTANCES (Page 1)

AGENCY	Higher Education Policy Commission			
RULE TYPE	Procedural	AMENDMENT TO EXISTING RULE	Yes	TITLE-SERIES 133-
RULE NAME	Transferability of Credits and Grades at the Undergraduate Level			17

CITE AUTHORITY 18B-1-6

SUMMARIZE IN A CLEAR AND CONCISE MANNER CONTENTS OF CHANGES IN RULE AND STATEMENT OF CIRCUMSTANCES REQUIRING THE RULE.

Rule to be amended in accordance with provisions of House Bill 2867 to expand transferability among all higher education institutions in West Virginia.

BY CHOOSING 'YES', I ATTEST THAT THE PREVIOUS STATEMENTS ARE TRUE AND CORRECT.

Yes

Cindy L Anderson -- By my signature, I certify that I am the person authorized to file legislative rules, in accordance with West Virginia Code §29A-3-11 and §39A-3-2.



Title-Series: 133-17



Rule Id: 9956



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TITLE 133
PROCEDURAL RULE
WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

SERIES 17
TRANSFERABILITY OF CREDITS AND GRADES AT
WEST VIRGINIA PUBLIC COLLEGES AND UNIVERSITIES

§133-17-1. General.

1.1. Scope. -- This rule establishes guidelines for the transferability of credits and grades at West Virginia public and private post-secondary colleges and universities ~~the undergraduate level.~~

1.2. Authority. -- West Virginia Code §§18B-1-6, 18B-2B-6, 18B-14-2.

1.3. Filing Date. -- ~~January 13, 2015~~

1.4. Effective Date. -- ~~February 15, 2015.~~

1.5. Repeal of Former Rule. -- Repeals and replaces Title 133, Series 17 which had an effective date of ~~February 15, 2010.~~February 15, 2015

§133-17-2. ~~Transfer Guidelines~~ Definitions.

2.1. Private higher education institutions. Post-secondary institutions which have been state approved to operate in West Virginia but are not public higher education institutions.

§133-17-3. Transfer Guidelines.

23.1. It is the policy of the West Virginia Higher Education Policy Commission (Commission) and the West Virginia Council for Community and Technical College Education (Council) that the transfer of credits among public institutions of higher education and with West Virginia private institutions will be completed consistent with appropriate and legitimate academic program integrity. Institutional practice is to ensure that students may transfer and apply toward the requirements for a degree the maximum number of credits earned at ~~a regionally accredited institution~~ an institution that is accredited by a regional, national, programmatic or other accredited body recognized by the U.S. Department of Education with no additional requirements or as few requirements to repeat courses or to take additional courses above those required by a native student to complete the degree, as is consistent with sound academic policy.

23.2. To this end, the following policy guidelines are hereby promulgated:

23.2.a. Undergraduate level credits and grades earned at any public or private post-secondary institution in West Virginia shall generally be transferable to any other such institution. Use of grades for institutional purposes, such as, without limitation, criteria for academic probation, recognition for graduation with honors or other institutional purposes, shall be subject to the policy of the receiving institution.

3.2.b. Each post-secondary institution, both private and public, must make the course objectives for every credit-bearing course available to the public. These course objectives may be posted on an easily accessible location on the institution's web site or may be made available through college catalog or other easily accessible format.

3.2.c. Institutions shall use a 70 percent standard for determining if the earned course credit is equivalent to the receiving institution's comparable course. That, if 70 percent of the learning objectives are in alignment, then the receiving institution must accept the course credit.

3.2.d. Once the receiving institution has reviewed the course objectives of the course requested for alignment and transfer, the receiving institution must notify the student of the course credits awarded. If requested transfer course credit is not awarded, the receiving institution must provide clear and specific details to the student and sending institution in regard to:

3.2.d.1. The changes to the course curriculum that are needed to achieve 70% percent alignment;

3.2.d.2. Reason(s) that the receiving institution has denied course credit transfer;

3.2.d.3. Additional information or actions, if any, necessary to permit the transfer;

3.2.d.4. Information about resubmitting a course credit transfer request that has been denied.

3.2.d.5. The institutional process for transfer appeal and the process for appealing the decision to the Joint Recommending Committee for Transfer and Articulation

~~23.2.be.~~ Each post-secondary institution, both public and private, shall establish an appeals process for the denial of transfer credit. At the completion of the second-to-final stage of the appeals process, the student may request review by an outside committee. The ~~West Virginia Higher Education Policy Commission~~ and the ~~West Virginia Council for Community and Technical College Education~~ shall establish a Joint Recommending Committee for Transfer and Articulation and establish procedures for operation. With private institution committee representation on the Committee, this committee hears such appeals and sends a recommendation to the president of the institution. The president or his or her designee at the institution issues the final decision. Each institution is required to publish procedures for appeal of denial of transfer credit in all appropriate catalogs and webpages. In an instance where an institution has not developed a transfer appeals process, the student may appeal directly to the Joint Recommending Committee for Transfer and Articulation. ~~Institutions shall use a 70 percent guideline, that is, if 70 percent of the learning objectives are in alignment, then the receiving institution accepts the course.~~

~~2.2.e.~~ 3.2.f. Provided all other provisions of this rule are met, at least 60 and no more than 72 hours of credits and grades completed at public or private post-secondary institutions in West Virginia and, if applicable, validated through a West Virginia community and technical college, ~~community and technical colleges or regional campuses in West Virginia~~ shall be transferable to any public or private baccalaureate degree-granting institution in West Virginia. Course credit earned at any public or private baccalaureate degree-granting institution, may be forwarded directly to another baccalaureate degree-granting institution for review, validation, and award of transfer credit. Exceptions to the 72 hour transfer limit may be made by the chief academic officer of the baccalaureate institution receiving the credits and grades.

~~23.2.dg.~~ With the exception of those enrolling in specialized four-year programs which have demonstrable and bona fide externally imposed requirements making such a goal impossible, students completing two-year associate degrees at public institutions in West Virginia shall generally, upon transfer to a baccalaureate-level degree-granting institution, have junior level status and be able to graduate with the same number of total credit hours as a non-transfer student at the same institution and in the same program. An exception may exist in any instance where the associate degree is a technical type designed for occupational/career purposes and the general education component is substantially of a markedly different nature than that required for a student at the same two-year institution enrolled in a college transfer associate degree program, or where requirements of the major have not been met.

~~23.2.eh.~~ In an effort to meet the needs of students enrolled in occupational/career associate degree programs at West Virginia public community and technical colleges who seek to complete baccalaureate-level education, the public baccalaureate institutions are encouraged to provide opportunities for students to enroll in applied baccalaureate-completion programs.

~~23.2.fi.~~ The ~~West Virginia Higher Education Policy~~ Commission and the ~~West Virginia Council for Community and Technical College Education~~ recognize the Regents Bachelor of Arts degree program as a degree completion program serving that serves graduates of the Board of Governors Associate in Applied Science degree program.

~~23.2.gj.~~ Each institution with baccalaureate-completion programs is encouraged to make full utilization of distance education, including on-line courses, to provide transferring students with associate degree credits the maximum opportunities to complete a baccalaureate degree.

~~23.2.hk.~~ In response to the statutory charge that undergraduate core coursework completed at a state institution is transferable as general studies credit to all other state institutions of higher education in West Virginia for credit with the grade earned, the ~~West Virginia Higher Education Policy~~ Commission and the ~~West Virginia Council for Community and Technical College Education~~ maintains a core coursework transfer agreement. The core coursework transfer agreement lists the general studies courses at each institution which have been approved for inclusion in the agreement and is updated annually. Under the terms of the agreement, a student may transfer up to thirty five credit hours of undergraduate coursework in the areas of English composition, communications and literature, fine arts appreciation, mathematics, natural science, and social science as general studies credits. The agreement establishes hours of coursework acceptable for transfer that will count toward fulfillment of general studies requirements. Since coursework is generally transferable among institutions in the state colleges and universities, a student could conceivably transfer more than thirty five hours of general studies credit from one institution to another that are provided for in this agreement. Each institution is to create internal processes to guarantee that courses listed on the Core Coursework Transfer Agreement, up to the 35 credit hour limit, are accepted at the receiving institution as general studies credit. Once an incoming student's general studies requirements have been fulfilled, or the maximum credit limit reached, the institution is to make a good faith effort to accept additional incoming credits listed on the Core Coursework Transfer Agreement. The agreement is not designed to limit the number of credits that are transferred. Its purpose is to assure that students will be able to transfer credits in accordance with the terms of the agreement. Any private post-secondary institution which wishes to participate in this core coursework transfer agreement may do so as the agreement is updated annually in the spring of each year.

~~23.2.il.~~ There shall be developed and maintained specific detailed articulation agreements between appropriate public and private institutions in West Virginia. Information on articulation agreements between private post-secondary institutions, community and technical colleges and baccalaureate institutions in West Virginia, including specific courses that are part of the agreement, will must be published in official campus materials and widely disseminated to students.

~~23.2.jm.~~ While each institution is encouraged to maintain high quality standards in its undergraduate transfer policy, it is also the expectation that each institution will be flexible in the establishment of any residence requirement. With the advent of instructional communications technology, particularly web-based instruction, and the emerging pattern of many students completing credits from a number of institutions, institutions may wish to eliminate or curtail substantially the imposition of a residency requirement for credits completed at the degree-granting institution. An institution may maintain, however, requirements for an appropriate minimum grade point average on previous work attempted and the grade point average for admission to a particular program.

~~23.2.kn.~~ Credits for graduate coursework at the master's level earned at a regionally accredited institution are generally transferable to a West Virginia public college or university authorized to offer master's degree programs. The receiving institution may limit transfer credits to twelve hours and to those credits that meet master's degree program requirements.

~~2.2.1. The West Virginia Higher Education Policy Commission, working with the West Virginia Council for Community and Technical College Education will develop procedures for reverse transfer. Processes shall be established whereby baccalaureate institutions ensure community and technical college institutions are notified, within Family Educational Rights and Privacy Act (FERPA) compliant guidelines, of students meeting reverse transfer status. The community and technical colleges complete the degree awarding process.~~

~~23.2.mo.~~ Each West Virginia public and private post-secondary institution shall file its policy on transfer of academic credits including the appeals process with the Chancellor's office.